

with the block (b) or (iii) a mixture of the polymer (α) and the polymer (β), wherein the weight average molecular weights of the polymers (α) and (β) satisfy the following equations (III) and (IV):

$$Mw(\alpha) / Mw(a) \leq 1.2 \quad (III)$$

$$Mw(\beta) / Mw(b) \leq 1.2 \quad (IV)$$

wherein $Mw(\alpha)$: weight average molecular weight of polymer (α), $Mw(\beta)$: weight average molecular weight of polymer (β), $Mw(a)$: weight average molecular weight of block (a) of block copolymer, and $Mw(b)$: weight average molecular weight of block (b) of block copolymer.

Applicants wish to emphasize that the invention of claim 14 is concerned with a rubber composition consisting essentially of (I) 100 parts by weight of block copolymer as claimed, and (II) 5 to 200 parts by weight of polymer (α) and/or polymer (β), as also claimed. No such rubber composition is taught or suggested in the Kawazura et al. reference, which discloses a rubber component comprising (i) SBR, (ii) SBR and/or BR which is incompatible with the (i) SBR, and (iii) an A-B block copolymer in an amount of 1-20 parts by weight, based upon 100 parts by weight of the components (i), (ii) and (iii) (col. 4, lines 22-54). It is to be noted that the maximum amount of A-B block copolymer in the rubber composition of Kawazura et al. is 20 phr (parts per hundred rubber), which is far less than the 95.2 - 33.3 phr (i.e., $[100/(100 + 5)] \times 100$ to $[100/(100+200)] \times 100$) of the claimed invention. Moreover, in Examples I-22 and I-25 of Kawazura et al., both cited at page 3 of the previous Office Action, the rubber component contains a large amount of natural rubber (NR) in addition to polybutadiene (BR) and block copolymer. Of course, in that the invention of claim 14 consists essentially of (I) a block copolymer,

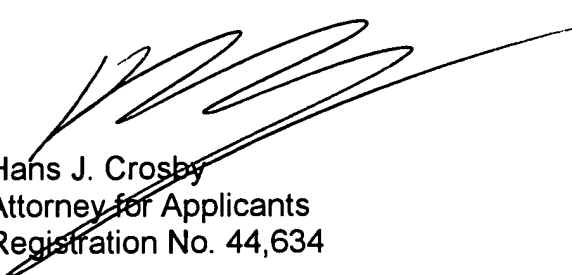
and (II) polymer (α) and/or polymer (β), natural rubber (NR) is not part of the invention as claimed.

Applicants therefore continue to urge that the prior art fails to teach or suggest any invention in accordance with the claimed invention. Moreover, it is noted that the claimed invention provides for such unexpected results, for instance with respect to improvements in abrasion resistance and tensile strength as demonstrated throughout the application including the Examples, that the claimed invention can only be considered patentable in view of the prior art. Applicants urge withdrawal of any and all rejections.

In view of the amendments and remarks above, Applicants submit that this application is in condition for allowance and request favorable action thereon.

In the event this paper is not timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300, along with any other additional fees which may be required with respect to this paper referencing Attorney Docket No. 100021-09056.

Respectfully submitted,
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC



Hans J. Crosby
Attorney for Applicants
Registration No. 44,634

Customer No. **004372**
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000; Fax: (202) 638-4810
HJC/ccd
Enclosure: Marked-Up Copy of the Claims

Marked-Up Copy of the Claims

14 (Thrice Amended). A rubber composition [comprising] consisting essentially of (I) 100 parts by weight of a block copolymer having at least two mutually incompatible blocks (a) and (b) and composed of at least one conjugated diene monomer and, optionally, at least one aromatic vinyl monomer and (II) 5 to 200 parts by weight of (i) a polymer (α) compatible with the block (a), (ii) a polymer (β) compatible with the block (b) or (iii) a mixture of the polymer (α) and the polymer (β), wherein the weight average molecular weights of the polymers (α) and (β) satisfy the following equations (III) and (IV):

$$Mw(\alpha) / Mw(a) \leq 1.2 \quad (III)$$

$$Mw(\beta) / Mw(b) \leq 1.2 \quad (IV)$$

wherein $Mw(\alpha)$: weight average molecular weight of polymer (α),

$Mw(\beta)$: weight average molecular weight of polymer (β),

$Mw(a)$: weight average molecular weight of block (a) of block copolymer,

and

$Mw(b)$: weight average molecular weight of block (b) of block copolymer.